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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding.	92054109
Applicant	Defendant Interplexus, Inc.
Other Party	Plaintiff T. E. Neesby, Inc.

### **Motion for Suspension in View of Civil Proceeding With Consent**

The parties are engaged in a civil action which may have a bearing on this proceeding. Accordingly, Interplexus, Inc. hereby requests suspension of this proceeding pending a final determination of the civil action. Trademark Rule 2.117.

Interplexus, Inc. has secured the express consent of all other parties to this proceeding for the suspension and resetting of dates requested herein.

Interplexus, Inc. has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

### **Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Respectfully submitted,

/Daniel S. Cho/

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07/21/2011

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of:

Registration No.: 2,740,222  
Registration Date: July 22, 2003  
Mark: SERIPHOS

T.E. NEESBY, INC.,

Petitioner,

v.

INTERPLEXUS CORPORATION,

Registrant.

**Cancellation No. 92054109**

**STIPULATED MOTION TO  
SUSPEND BOARD PROCEEDINGS  
PURSUANT TO TBMP § 510.02(a)**

**STIPULATED MOTION TO SUSPEND BOARD PROCEEDINGS PURSUANT TO TBMP**

**§ 510.02(a)**

Pursuant to Trademark Trial and Appeal Board Manual of Procedure ("TBMP") section 510.02(a), Petitioner T.E. NEESBY, INC. ("Petitioner") and Registrant INTERPLEXUS CORPORATION ("Registrant") (collectively, the "Parties") hereby stipulate to and request the Board suspend this proceeding pending a final determination in the action known as *Interplexus Corporation v. T. E. Neesby, Inc. et al.*, presently before the United States District Court, Eastern District of California, Case No. 1:11-cv-00597-AWI-SMS, filed on April 13, 2011 (the "Federal District Action").

The Parties stipulate that the Federal Action involves issues in common with those in this proceeding before the Board, and may therefore bear upon the same. As a stipulated motion to suspend, the Parties do not submit a copy of the pleadings from the Federal Action. See TBMP, § 510.02(a).

STIPULATED MOTION TO SUSPEND PROCEEDINGS PURSUANT TO TBMP § 510.02(a)

The Parties stipulate to provide notice of resumption of the Board proceedings in accordance with TBMP, § 510.02(b), and that upon such resumption, that the current scheduling order, including the time to answer, currently set for July 24, 2011, be reset within the discretion of the Board.

Respectfully submitted,

By: /angus fox/

Dated: July 21, 2011

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Dated: July 21, 2011

By: \_\_\_\_\_/Daniel S. Cho/

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